

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Jan 30, 2023**

SEAN F. McAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Terrence Anthony Kinard Case Number: 0980 2:15CR00118-WFN-1

Address of Offender: [REDACTED] Spokane, Washington 99202

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: February 9, 2017

Original Offense: Conspiracy to Distribute 5 Grams or More of Pure (Actual) Methamphetamine,  
21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii) and 846;  
Distribution of a Mixture or Substance Containing a Detectable Amount of Heroin,  
21 U.S.C. § 841(a)(1), (b)(1)(C)

Original Sentence: Prison - 120 Months; Type of Supervision: Supervised Release  
TSR - 48 Months

Amended Sentence: Prison - 2,218 Days;  
(November 24, 2021) TSR - 48 Months

Asst. U.S. Attorney: Timothy John Ohms Date Supervision Commenced: November 30, 2021

Defense Attorney: Amy H. Rubin Date Supervision Expires: November 29, 2025

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**PETITIONING THE COURT**

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 03/17/2022, 03/23/2022, 04/12/2022, 08/25/2022, 08/30/2022, 09/21/2022, 09/26/2022, and 11/28/2022.

On December 1, 2021, Mr. Terrence Kinard signed his conditions relative to case number 2:15CR00118-WFN-1, indicating he understood all conditions as ordered by the Court. Specifically, Mr. Kinard was made aware by his U.S. probation officer that he was required to refrain from the use of illicit substances.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number      Nature of Noncompliance

10      **Mandatory Condition #3:** You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

**Supporting Evidence:** Mr. Terrence Kinard is alleged to have violated mandatory condition number 3 by ingesting methamphetamine on or about January 19, 2023, based on urinalysis testing.

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Specifically, on January 19, 2023, the undersigned officer conducted a scheduled home contact with the client for the purpose of collecting a random urinalysis sample, among other sought objectives. As a part of the contact, the client did submit to urinalysis testing as directed, in which the initial sample provided by the client presented as presumptive positive for a number of illicit substances, to include methamphetamine. Mr. Kinard adamantly denied any use of any substance, other than prescribed medication, which was recorded by the undersigned officer during the contact. Mr. Kinard's urinalysis sample was packaged and forwarded to the lab for verification.

On January 30, 2023, the undersigned officer received the lab report specific to the client's submitted urinalysis sample, in which the sample was confirmed to be positive for methamphetamine. In response to the received lab report, the laboratory director for Alere Toxicology was provided with the client's current prescribed medication for analysis and confirmed that none of the client's prescribed medications individually or in combination would cause a positive lab report for methamphetamine as indicated.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 30, 2023

s/Chris Heinen

Chris Heinen  
U.S. Probation Officer

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#### THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

1/30/2023

Date